

## **CITY COUNCIL AGENDA MEMORANDUM**

### **SUBJECT**

Motion to initiate a Land Use Code Amendment (LUCA) that implements Comprehensive Plan policy goals for the Commercial Business (CB) district of the Wilburton subarea. The LUCA will also allow for individual developments to enter into a development agreement to utilize dimensional flexibility provided through the LUCA. A development agreement request from Target Corporation will be concurrently processed with the LUCA to facilitate their proposed retail development at the intersection of 116<sup>th</sup> Avenue NE and the extension of NE 4<sup>th</sup> Street.

### **STAFF CONTACTS**

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### **FISCAL IMPACT:**

The proposed Land Use Code Amendment does not have a direct fiscal impact. Staff resources required to support the analysis of the LUCA are covered by existing department resources.

### **POLICY ISSUES**

#### **Comprehensive Plan**

This motion is consistent with and implements provisions of the City's Comprehensive Plan. The Comprehensive Plan envisioned that areas within the Wilburton Subarea should be zoned Commercial Business (CB) upon the extension of NE 4<sup>th</sup> Street. Construction of Phase 1 of the NE 4<sup>th</sup> project is underway, and the City recently obtained the necessary property rights for Phase 2 of the project. Full analysis of the proposed code amendment's consistency with the Comprehensive Plan will be developed as part of the LUCA process.

### **BACKGROUND**

Policy S-WI-3 of the Wilburton subarea plan anticipates that portions of the subarea will be rezoned to CB when NE 4<sup>th</sup> Street is extended. The Comprehensive Plan also indicates that large retail uses are generally appropriate west of the former BNSF rail corridor (Policy S-WI-2). Finally, Policy S-WI-4 indicates that heights of up to 75 feet are appropriate for development generally between I-405 and the BNSF corridor, and along 116<sup>th</sup> in those areas zoned CB.

The City's extension of NE 4<sup>th</sup> Street is underway. Recent settlement with the property owner's adjacent to Phase 2 of the project allows for rezoning of the designated areas to CB, and development consistent with CB is anticipated. Target Corporation is pursuing development of a retail store at the southeast corner of 116<sup>th</sup> Avenue NE and NE 4<sup>th</sup> Street.

The development requires CB zoning, as well as code amendments implementing the Comprehensive Plan policies described above.

The proposed motion to initiate the LUCA will commence the Process IV Land Use Code amendment. Public involvement is ensured through a notice of application published in the City's Weekly Permit Bulletin and a public hearing before the City Council. The LUCA will address:

- Allowing for large retail uses, potentially exceeding 100,000 square feet in size, through a development agreement. Any development agreement would be project specific, and would be required to include design guidelines that address the potential impacts of that scale of retail use. A copy of the Design Guidelines proposed for inclusion in the Target Development Agreement are included in Attachment A for Council reference.
- Allowing for heights of up to 75 feet within the Wilburton subarea for those properties designated CB and lying west of the BNSF corridor.

A Process IV LUCA requires analysis of the proposed code amendment's consistency with the Comprehensive Plan. This analysis will be available to the public and to Council prior to the required public hearing, so that the information can be taken into account prior to the Council's final consideration of the proposed LUCA.

If the LUCA is ultimately adopted by the City Council following completion of the code amendment process, it is anticipated that the City and Target will enter into a Development Agreement facilitating development of a retail store exceeding 100,000 square feet. A rezone of the Target parcel, consistent with the Comprehensive Plan, the anticipated development agreement, and a design review permit for development of a store will all be processed in fairly quick succession in order to meet Target's desired timelines.

Because of these compressed timelines, and because the associated development agreement requires action by the City Council after a public hearing, it is recommended that the City Council hold the public hearing associated with the LUCA, rather than forwarding it to the Planning Commission. This process is allowed under LUC Section 20.35.410.A, provided that the Council makes a finding of necessity.

## **ALTERNATIVES**

1. Approve motion initiating a Land Use Code amendment to allow for retail uses exceeding 100,000 square feet in size in the Wilburton subarea for properties designated CB through a development agreement with design guidelines appropriate to the scale of use; and allowing for heights of up to 75 feet on properties designated CB in the Wilburton subarea between I-405 and the BNSF corridor; and finding that, to allow for efficient processing of such amendment and anticipated development agreement, it is necessary for the City Council to hold the required public hearing on the LUCA;
2. Do not approve the motion and provide alternative direction staff.

## **RECOMMENDATION**

1. Approve motion initiating a Land Use Code amendment to allow for retail uses exceeding 100,000 square feet in size in the Wilburton subarea for properties designated CB through a development agreement with design guidelines appropriate to the scale of use; and allowing for heights of up to 75 feet on properties designated CB in the Wilburton subarea between I-405 and the BNSF corridor; and finding that, to allow for efficient processing of such amendment and anticipated development agreement, it is necessary for the City Council to hold the required public hearing on the LUCA as provided for in LUC Section 20.35.410.A.

## **MOTIONS**

Move to initiate a Land Use Code amendment to allow for retail uses exceeding 100,000 square feet in size in the Wilburton subarea for properties designated CB through a development agreement with design guidelines appropriate to the scale of use; and allowing for heights of up to 75 feet on properties designated CB in the Wilburton subarea between I-405 and the BNSF corridor; and finding that, to allow for efficient processing of such amendment and anticipated development agreement, it is necessary for the City Council to hold the required public hearing on the LUCA as provided for in LUC Section 20.35.410.A.

## **ATTACHMENT**

- A. Design Guidelines proposed for inclusion in the Target Development Agreement.

Exhibit H

**DESIGN GUIDELINES – NE 4<sup>TH</sup> STREET AND 116<sup>TH</sup> AVENUE NE**  
**CB LAND USE DISTRICT**  
 ER 408 – Proposed Settlement Exhibit

**GENERAL**

Support the vision of Comprehensive Plan Policy S-WI-3 regarding the creation of a “retail village” on the commercial area west of 120th Avenue NE.

**STREETSCAPE**

Streetscapes shall have a high orientation to pedestrians and bicyclists. This shall be achieved by emphasizing the relationship between the first levels of the structure and the horizontal space between the structure and curb line. This relationship should emphasize to the greatest extent possible, both the physical and visual access into and from the structure. In addition, amenities and special features shall be incorporated into the outside pedestrian space. In order to achieve the intended level of vitality, design diversity, and pedestrian activity, retailing or marketing activities shall be provided for in the design. Note: 116<sup>th</sup> Avenue is designated as a ‘boulevard’ in Figure UD.1 – Urban Design Elements/Comprehensive Plan.

**Guidelines**

**Streetscapes:**

- Strong visual and physical pedestrian and bicycle connections shall be made to the BNSF corridor and bicycle parking shall be provided on site for use by future trail (corridor) users.
- The site development shall incorporate a special corner feature on each of the corners at the intersection of NE 4<sup>th</sup> Street and 116<sup>th</sup> Avenue NE.
- Bus shelters/transit waiting areas shall be incorporated into any streetscape design.
- 116<sup>th</sup> Avenue NE:
  - Street level edges of the entire street frontage on 116<sup>th</sup> Avenue NE shall incorporate retail activities. If a building is primarily residential, the residential entry may be on this frontage.
  - The following characteristics shall be incorporated into the design of the structure at the ground level:
    - Windows providing visual access
    - Street wall
    - Multiple entrances
    - Differentiation of ground level
    - Public entrances to the building
    - Continuous weather protection along the entire building frontage
  - The following characteristics should be incorporated into the design of the sidewalk on 116<sup>th</sup> Avenue:
    - Generous width of sidewalk, with a minimum of 10 feet
    - Planting strip along entire frontage, a minimum of 7 feet with street trees
    - Different types of seating, including benches, chairs, seat walls
    - Street furniture including bicycle racks
    - Special paving
    - Integrated public art installations
    - Pedestrian scaled lighting

**BUILDING DESIGN/SITE PLANNING:**

Any buildings along 116<sup>th</sup> Avenue NE will be viewed from above and from all sides. Therefore, it is important to provide building facades that are interesting and dynamic. Any urban village in this area will ultimately have a mix of commercial and residential uses and therefore the juxtaposition of any new building with surrounding residential – either existing or planned for the future – is important. In addition, any development on 116<sup>th</sup> Avenue NE will be viewed from above (properties and neighborhoods to the east and the Downtown to the west). Therefore, treatment of the roof will be an important element of the overall building design.

**Guidelines:**

**Building Design:**

- Individual buildings should incorporate similar design elements, such as surface materials, color, roof treatment, windows and doors, on all sides of the building to achieve a unity of design. (LUC 20.251.040.A)
- Buildings shall be urban in character and sited at the back of sidewalk.
- Building should be comprised of urban, highly durable and non-reflective materials
- Minimize blank walls on all facades. Any blank wall along street rights-of-way shall receive additional design treatment such as planted vertical trellises/green walls, additional plant material, and/or artwork.
- Walls not facing public streets shall include elements such as windows, doors, color, texture, landscaping, and/or wall treatment to provide visual interest from adjacent properties. (LUC 20.251.040.A)
- Minimize expanses of building exterior walls visible from the BNSF corridor through modulation/articulation, windows, unique wall treatments, public art installations, changes in color and materials, and/or design techniques such that the building appears to be multiple smaller buildings.
- Building exterior walls of large retail buildings visible from public or private streets shall have display windows, entry areas, and/or weather protections for no less than 60% of their horizontal length.
- Special attention should be paid to the rooftop. All mechanical equipment shall be screened in such a manner that the screening appears to be integral to the entire building design. (LUC 20.251.050)
- The rooftops of large retail buildings shall include significant vertical modulation of the roof line or parapet.
- Building facades should be divided into increments through the use of offsets, modulation, articulation, recesses, change in materials and color, and other architecture features which serve to break down the scale.
- Main entrances to large retail or building front facades should include pedestrian oriented spaces near the building entry, including covered areas, weather protection, seating, and landscaping.

**Site Design:**

- Surface parking shall either be underground, interior to the building with a buffer of building spaces between the parking and the sidewalk, or hidden behind the building and effectively screened with vegetation, berms, and/or walls.
- Minimize garage openings on public streets (PCD).
- Provide pedestrian and bicycle connections to the BNSF corridor.
- Provide trees and vertical landscaping to soften expanses of open parking decks.
- Provide landscaped buffers along internal property lines with tall trees to break up the mass of large retail buildings.
- Strongly consider low impact development (LID) techniques, including green roofs and rain gardens.
- Consider use of solar panels and design to be integral to the building design.
- All loading shall take place off city streets. Ideally provide for loading functions with the building. If not feasible, loading shall be placed behind the building and screened with walls, berms, and/or vegetation. (LUC)

**SIGNAGE**

In addition to compliance with the Bellevue Sign Code, address the following:

- Ensure that signage is an integral part of the overall architectural design.
- Encourage signage which is scaled to the pedestrian and enhances the pedestrian environment.
- Signage must comply with the applicable requirements of the Sign Code, BCC 22B.10.
- Incorporate wayfinding signage to highlight connections to the BNSF trail, transit, the Downtown, and adjacent neighborhoods.